

BEFORE THE BOARD OF OIL, GAS AND MINING  
DEPARTMENT OF NATURAL RESOURCES  
STATE OF UTAH

---oo0oo---

IN THE MATTER OF THE REQUEST TO	:	NOTICE OF HEARING
COMMENCE FORMAL RULEMAKING		
TO AMEND THE COAL REGULATORY	:	
PROGRAM R645 RULES FOR VALID		
EXISTING RIGHTS AS REQUESTED BY	:	Docket No. 2010-022
OFFICE OF SURFACE MINING		Cause No. RCOAL-2010-01

---oo0oo---

THE STATE OF UTAH TO ALL PERSONS INTERESTED IN THE FOLLOWING  
MATTER.

Notice is hereby given that the Board of Oil, Gas and Mining ("Board"), State of Utah, will conduct a hearing on WEDNESDAY, May 26, 2010, at 9:00 A.M., or as soon thereafter as possible, in the auditorium of the Department of Natural Resources, 1594 West North Temple, Salt Lake City, Utah.

The hearing will be conducted in accordance with the rules of the Board as set forth in Utah Administrative Code R641 et seq. The purpose of the hearing will be for the Board to consider a Request to Commence Rulemaking requesting that the Board:

1. Commence formal rulemaking to modify portions of the current R645 rules of the Utah Coal Regulatory Program pertaining to the subject of valid existing rights; and
2. File the proposed rule changes in accordance with the requirements of the Utah Administrative Rulemaking Act, Utah Code § 63G-3-101 et seq.; and
3. Schedule a public hearing, and take necessary action to formally adopt the proposed rule changes.

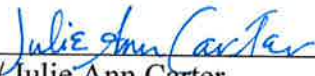
Objections to the Request to Commence Rulemaking must be filed with the Secretary of the Board at the address listed below no later than the 10th day of the month, or two weeks before the scheduled hearing, whichever is earlier.

Persons interested in this matter may participate pursuant to the procedural rules of the Board. The Request to Commence Rulemaking, and any subsequent pleadings, may be inspected at the office of the undersigned.

Pursuant to the Americans with Disabilities Act, persons requiring auxiliary communicative aids and services to enable them to participate in this hearing should call Julie Ann Carter at (801) 538-5277, at least three working days prior to the hearing date.

DATED this 4th day of May, 2010.

STATE OF UTAH  
BOARD OF OIL, GAS AND MINING  
Douglas E. Johnson, Chairman

  
\_\_\_\_\_  
/s/ Julie Ann Carter  
Secretary to the Board  
1594 West North Temple, Suite 1210  
Salt Lake City, Utah 84116  
(801) 538-5277

## CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing NOTICE OF HEARING for Docket No. 2010-022, Cause No. RCOAL-2010-01 to be mailed with postage prepaid, this 4th day of May, 2010, to the following:

Steven F. Alder  
Fred Donaldson  
Assistant Attorneys General  
Utah Division of Oil, Gas & Mining  
1594 West North Temple, Suite 300  
Salt Lake City, UT 84116  
**[Via Email]**

Michael S. Johnson  
Megan DePaulis  
Assistant Attorneys General  
Utah Board of Oil, Gas & Mining  
1594 West North Temple, Suite 300  
Salt Lake City, UT 84116  
**[Via Email]**

Todd Bingham, President  
Utah Mining Association  
136 South Main, Suite 709  
Salt Lake City, UT 84101

Jim Fulton  
Office of Surface Mining  
1999 Broadway Suite 3320  
Denver CO 80202-3050

John S. Kirkham  
Stoel Rives LLP  
201 South Main Street, Suite 1100  
Salt Lake City, UT 84111

  
\_\_\_\_\_

**CERTIFICATE OF PUBLISHED NOTICE**

I hereby certify that I caused a true and correct copy of the foregoing NOTICE OF HEARING for Docket No. 2010-022, Cause No. RCOAL-2010-01 to be PUBLISHED in the following newspapers on the following days:

May 9, 2010:

The Salt Lake Tribune and Deseret Morning News, newspapers of general circulation in Salt Lake City and County.

  
\_\_\_\_\_